

REMARKS

Status of the Application

Claims 1-18 are the claims that have been examined in the instant application. Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahara Hiroshi (U.S. Patent No. 6,219,113) in view of Ubusawa et al. (JP 03140903). Claims 11 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang, Dong-Yuan et al. (US 2004/0183990) in view of Helstern et al. (U.S. Patent No. 5,743,629). Claims 12, 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang, Dong-Yuan in view of Helstern as applied to claims 11 and 14 above, and further in view of Ubusawa. Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang, Dong-Yuan in view of Helstern and Ubusawa as applied to claim 15 above, and further in view of Hiroshi.

By this Amendment, Applicant is amending claim 11 and is adding new claims 19-22.

Claim Rejections - 35 U.S.C. § 103

A. *Claims 1-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahara (U.S. Patent No. 6,219,113) in view of Ubusawa et al. (JP 03140903).*

Claim 1 recites, in part, “equipping a refractive index varying area, which is different in refractive index from the surroundings thereof in a plane parallel to an image display face, on a defective pixel on the image display face.” The Examiner alleges that Takahara discloses all of the elements of claim 1, but acknowledges that Takahara fails to teach or suggest a refractive index varying area. See page 4 of the instant Office Action. However, the Examiner alleges that Ubusawa cures the deficient disclosure of Takahara. Applicant respectfully disagrees.

Takahara discloses a method and apparatus for driving an active matrix display panel. Specifically, one embodiment of Takahara discloses that a color purity enhancement filter may be disposed on a glass substrate. The color purity enhancement filter consists of a first and second dielectric multilayer film (1422 and 1423). The dielectric films constitute alternating low refractive layers (1424a to 1424f) and high refractive layers (1425a to 1425f). However, as noted by the Examiner, Takahara fails to disclose a specific refractive index varying area. Rather, Takahara discloses having the same refractive index along an entire plane parallel of an image display face, as the layers in Takahara extend along the entire face of glass substrate.

Ubusawa, on the other hand, discloses a color filter array. The color filter consists of a photosensitive resin film which has the refractive index periodically changing in the thickness direction of the film. However, claim 1 recites “*a refractive index varying area, which is different in refractive index from the surroundings thereof in a plane parallel to an image display face.*” Rather, Ubusawa discloses that the refractive index varies in a direction perpendicular to the display face. Thus, Ubusawa fails to cure the deficient disclosure found in Takahara and the proposed combination of Takahara and Ubusawa does not render claim 1 obvious. Claim 1 is patentable over the applied art.

Claims 2, 3, 7, 8 and 9 all recite limitations similar to that noted in claim 1. Therefore, claims 2, 3, 7, 8 and 9 are patentable for reasons analogous to those presented with regard to claim 1. Claims 4-6 and 10 are patentable at least by virtue of their respective dependencies.

B. Claims 11 and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang (US 2004/0183990) in view of Helstern et al. (U.S. Patent No. 5,743,629).

Claim 11 recites, “equipping a color mura correcting film is equipped to an image display portion of an image display; and correcting a color mura of a display image by the color mura correcting film, wherein the complementary color of the color mura is generated in the color mura correcting film in accordance with the color mura of the display image.” The Examiner alleges that Guang discloses all of the elements of claim 11, but acknowledges that Guang fails to disclose that the color correcting film generates complementary color. However, the Examiner alleges that Helstern cures the deficient disclosure of Guang. Applicant respectfully disagrees.

Guang discloses a liquid crystal display structure. The second embodiment, which the Examiner cites as disclosing the elements of claim 11, discloses a black matrix layer 210 formed on a substrate 200 with each opening 220 corresponding to a pixel. A color filter 230 is then layer on top of the black matrix layer, which increases the color contrast between adjacent pixels. Three color spacers are then formed on top of black matrix layer. However, Guang fails to teach or suggest equipping a color mura correcting film to an image display portion of an image display. Rather, the color spacers in Guang work to increase brightness and contrast, not correct a color mura (i.e. a color defect). See paragraph [0048] of Guang.

Helstern discloses an illumination system for illuminating a display. To the extent that Helstern teaches color correction, the correction is performed by a chroma shift. However, the shift need not be to a complementary color via color correcting film as described by the independent claim 11. Further, in Helstern, the correction is provided via a reflector rather than

a color mura correcting film. See col. 1, line 64 to col. 2, line 1. Thus, Helstern fails to cure the defects noted in Guang with respect to claim 11, and claim 11 is patentable over the applied art.

Claim 14 recites similar limitations to claim 11, and is patentable for reasons analogous to those presented for claim 11.

C. Claims 12, 13 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang in view of Helstern as applied to claims 11 and 14 above, and further in view of Ubusawa.

Claims 12, 13 and 15 are dependent from claims 11 and 14, respectively. Because a proposed combination of Guang and Helstern fails to disclose all of the elements of claims 11 and 14, and because Ubusawa fails to cure the deficient disclosures of Guang and Helstern, claims 12, 13 and 15 are patentable at least by virtue of their respective dependencies.

D. Claims 16-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Guang in view of Helstern and Ubusawa as applied to claim 15 above, and further in view of Takahara.

Claims 16-18 are dependent from claim 14. Because a proposed combination of Guang, Helstern and Ubusawa fails to disclose all of the elements of claim 14, and because Takahara fails to cure the deficient disclosures of Guang, Helstern and Ubusawa, claims 16-18 are patentable at least by virtue of their respective dependencies.

New Claims

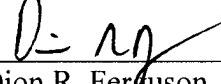
Applicant hereby adds new claims 19-22, which are dependent from claims 1, 2 and 11, respectively. Claims 19-22 are patentable at least by virtue of their respective dependencies.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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